Before the

FEDERAL COMMUNICATIONS COMMISSION

Washington, DC 20554

In the Matter of:	)	
	)	
Amendment of Part 97 of the Commission's	)	RM-11305
	)	
Rules Governing the Amateur Radio Service	)	
	)	

Comment of Philip E. Galasso, K2PG

1. Background and Introduction

I, Philip E. Galasso, have been a licensed radio amateur since September 27, 1968 and a holder of the Amateur Extra Class license since April 16, 1976, currently with the station callsign K2PG. I use most of the emission modes permitted on the amateur bands from 1800 kHz through 450 MHz. I have held the First Class Radiotelephone Operator License (now the General Radiotelephone Operator License) since 1973 and am employed as the chief operator of AM broadcast station WARM and FM broadcast stations WBHD, WBHT, WBSX, WMGS, and WSJR in the Wilkes-Barre/Scranton area of Pennsylvania. I also hold a station license in the Experimental Radio Service with the callsign KA2XUK for the purpose of exploring propagation on the 160-190 kHz band.

On June 20, 2005, the Communications Think Tank ("CTT"), an independent group of amateur radio operators, submitted a Petition for Rulemaking ("Petition") to the Commission addressing the

current system of dividing the amateur frequency bands below 148 MHz into subbands that generally segregate voice/image and non-voice (other than image) communications[1] through the Commission's rules, rather than by voluntary band plans. In its Petition, CTT states that this allocation of emission-based subbands by government fiat results in the inefficient use of the high-frequency "shortwave" bands. CTT recommends the substitution of a voluntary band plan for the current FCC-mandated emission subbands, as this would allow the flexibility of changing such a band plan as operating habits and preferences change within the amateur radio community.

2. Discussion

The current system of segmenting HF amateur bands by emission type causes at least three problems with day-to-day amateur radio operations:

1. While the subbands available to U.S. amateur radio operators for phone[2] and image[3] communications are often horribly congested[4], those reserved exclusively for CW (Type A1A emission) and data transmissions are often sparsely used. This is especially true in the 80 meter band, where there is some CW activity between 3500 and 3550 kHz, some non-CW data communications between 3600 and 3650 kHz, and little other activity (other than non-U.S. stations transmitting voice communications) between 3550 and 3600 kHz and between 3650 and 3750 kHz.[5]

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[1] Section 97.305 (a) of the Commission's Rules gives an exception: "An amateur station may transmit a CW emission on any frequency authorized to the control operator."

[2] Defined in detail in Section 97.3 (c) of the Commission's Rules

[3] As defined in 97.3 (c)

[4] Petition, Appendix A

[5] The segment where voice (phone) and image emissions are permitted in the U.S. is 3750-4000 kHz, called "75 m" in Section 97.305 (c) of the Rules.

The segment from 3750 to 4000 kHz (called "75 m" in Section 97.301 of the Rules) is horribly congested.

2. The rigidity of allocating emission subbands by government fiat and the width of the subbands reserved for CW and data emissions[6] has created *de facto* "American-free" zones on the most popular HF bands, as amateur radio stations in other countries use phone and image emissions in those band segments. Since U.S. amateur stations may not transmit such emissions on those frequencies, they are precluded from communicating with the foreign stations operating there, since the foreign operators will not respond to a CW or data transmission. Examples of such "American-free" zones are the segments 14.110-14.150 MHz, 21.100-21.200 MHz, and 28.100-28.200 MHz.[7] Why should an amateur radio operator be denied the full use of amateur frequencies simply because he possesses a license issued by the Commission, rather than by the telecommunications authority in another country?

3. A particularly vexing problem exists on the 40 m (7000-7300 kHz) band. Under Section 97.305 (c) of the Commission's Rules, U.S. amateur radio operators in the 48 contiguous states may not transmit phone or image emissions below 7150 kHz. The United States is the *only* country in the world that has such a restriction. Despite recent treaties addressing the matter of the sharing of the segment 7100-7300 kHz between stations in the Amateur and Broadcasting Services, the continued presence of numerous high-power broadcast stations in that segment renders that segment useless for amateur radio communication at night, when propagation enables broadcast stations outside of ITU Region 2 to put potent signals into the United States. U.S. amateurs wishing to communicate

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[6] As defined in 97.3 (c)

[7] Under internationally recognized band plans, the segment 28.2-28.3 MHz is used for propagation beacons. These beacon stations transmit their callsigns and location data using CW emission.

internationally by using phone emissions on 40 meters are forced to work "split".[8] This results in the inefficient use of frequencies in this band and poses interference problems, since the transmitting station usually will not listen on its own frequency.

CTT makes an excellent case in favor of correcting these problems by eliminating the segmentation of our HF bands by emission type. The only problem in the Petition is strictly typographical in nature. Under the heading "Proposed Changes"[9], CTT lists frequency bands available to the holders of various *classes* of operator licenses under Section 97.301 of the Rules. But CTT does not seek any changes in Section 97.301.[10] I would therefore offer a correction that would embody the relaxation of the Rules sought by CTT by amending Section 97.305 (c)[11] and related paragraphs of the Rules. This correction is loosely based on Schedule I[12] of the Canadian amateur radio regulations, as Canada has successfully implemented regulations similar to those sought by CTT.

3. Conclusion

I therefore respectfully request that the Commission expeditiously adopt the Petition, with the corrections delineated in Appendix A of these Comments.

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[8] "Split" or "split frequency" operation refers to the use of separate transmitting and receiving frequencies for communications between two stations.

[9] Petition, pp. v-viii

[10] Petition, Page i

[11] This is the section of Part 97 prescribing the permitted emission types in each band segment, using the definitions in Section 97.3 (c).

[12] Industry Canada Radiocommunication Information Circular RIC-2, Issue 5, July 2005, Page 6

Dated this 12th day of January, 2006

By: **Philip E. Galasso**
635 State Route 239
Shickshinny, PA 18655

APPENDIX A: Correction to "Proposed Changes", CTT Petition, Pages v-viii

97.305 Authorized Emissions

(a) An amateur station may transmit any emission within the bandwidth limits specified in Paragraph (c), below, on frequencies authorized to the control operator. The bandwidth of a signal shall be determined by measuring the frequency band occupied by that signal at a level that is 26 dB below the maximum amplitude of that signal.

(b) A station may transmit a test emission on any frequency authorized to the control operator for brief periods for experimental purposes. (Remainder deleted)

(c) A station may transmit on the frequencies indicated, subject to such frequencies being authorized to the control operator:

Wavelength band	**Frequencies**	**Maximum bandwidth authorized**
160 m	1800-2000 kHz	9 kHz
80 m	3500-4000 kHz	9 kHz
60 m[13]	5167.5 kHz	2.8 kHz
60 m[14]	5332, 5348, 5368, 5373, 5405 kHz	2.8 kHz
40 m	7000-7300 kHz	9 kHz

[13] Operation on this frequency is restricted to stations in the State of Alaska, using J3E emission only.

[14] Operation on this band is restricted by the NTIA to five specific channels, J3E emission only, at 50 watts PEP.

30 m	10.100-10.150 MHz	1 kHz
20 m	14.000-14.350 MHz	9 kHz
17 m	18.068-18.168 MHz	9 kHz
15 m	21.100-21.450 MHz	9 kHz
12 m	24.890-24.990 MHz	9 kHz
10 m	28.0-29.7 MHz	20 kHz
6 m	50.0-54.0 MHz	30 kHz
2 m	144.0-148.0 MHz	30 kHz
1.25 m	222-225 MHz	100 kHz
70 cm	420-450 MHz[15]	12 MHz
33 cm	902-928 MHz	12 MHz
23 cm	1.240-1.300 GHz	Not specified
13 cm	2.300-2.310 and 2.39-2.45 GHz	Not specified
9 cm	3.300-3.500 GHz	Not specified
5 cm	5.650-5.925 GHz	Not specified
3 cm	10.0-10.5 GHz	Not specified
1.2 cm	24.00-24.25 GHz	Not specified
6 mm	47.0-47.2 GHz	Not specified
4 mm	75.5-81.0 GHz	Not specified
2.5 mm	119.98-120.02 GHz	Not specified
1 mm	241-250 GHz	Not specified
	All above 300 GHz	Not specified

97.307 Emission Standards

(f) (Deleted)

[15] The frequencies 420-430 MHz are not available for amateur use north of Line A.

97.309 (Deleted)

97.311 (Deleted)